

Florence, New Jersey
December 3, 2003

The Florence Township Council held a regular meeting on the above date in the Municipal Complex, 711 Broad Street, Florence, New Jersey.

The meeting was called to order by President Hofflinger at 8:15 PM. President Hofflinger led the Salute to the Flag.

The Township Clerk read the following statement: "Notice of this meeting has been given in accordance with the Open Public Meetings Act. Notice was published in the Burlington County Times on January 5, 2003 and given to the Register News for information. Notice was posted on the Municipal Bulletin Board."

Upon roll call the following were found to be present:

John Hofflinger, President
Frank Baldorossi
John Fratinardo
Bruce Garganio

Also present:

Michael Muchowski, Mayor; Richard Brook, Township Administrator; Thomas Sahol, Assistant Administrator; Dante Guzzi, Township Engineer; Joy Weiler, Township Clerk; Elizabeth Ryan, Council Member Elect

MINUTES

Fratinardo made a MOTION; seconded by Baldorossi to approve the following minutes. Roll call vote – all ayes. Motion carried.

Regular Session	October 15, 2003
Executive Session	October 8, 2003

FINANCIAL CORRESPONDENCE

It was on the MOTION of Fratinardo; seconded by Hofflinger to receive and file the Township Clerk's report for November. Roll call vote – all ayes. Motion carried.

Fratinardo made a MOTION; seconded by Hofflinger to approve the Treasurer's Bill List. Roll call vote – all ayes. Motion carried.

REGULAR CORRESPONDENCE

None at this time.

APPLICATIONS

A. BINGO: Holy Assumption – Monday evenings: 7:15 PM – 10:30 PM
January – June 2004

It was on the MOTION of Hofflinger, seconded by Baldorossi to approve the above application.

Florence Township Council Regular Session: 12/03/03

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Hofflinger

NOES: None

ABSTAIN: Fratinardo

ABSENT: Sandusky

Motion approved.

PUBLIC COMMENTS

Don Kaminski, 10 Mc Cay Drive, feels that the intersection of Route 130 and Fairbrook Drive is very dangerous. He and his wife have witnessed vehicles exiting Fairbrook Drive onto Route 130 North and disregard the stop sign. He suggested an unmanned police car be parked in the vicinity to deter the drivers from running the stop sign. Council Member Fratinardo stated that he saw a police car there this morning. Administrator Brook will speak with the Chief of Police.

Terri Cranmer, Route 130, expressed her displeasure that the water and sewer assessment bills were mailed out the week of Thanksgiving with the first payment due the week before Christmas. Also, she is not happy with the way the interest was calculated. The interest is being charged on the unpaid balance every year opposed to a flat interest over the life of the 10-year payoff. Administrator Brook explained that if the bills were sent out earlier they would be on payment 2 or 3. Later this evening Council will discuss extending the due date for the first payment but not the balance. Mr. Brook also stated that, according to the tax specialist at the State Department of Community Affairs, the interest is being calculated in accordance with the State's requirements for improvement assessments. Further discussion took place regarding the interest rate. Administrator Brook will review the method in which interest is being charged with the Township Solicitor and report back to Mayor and Council.

Nathaniel Stroud, 2015 Route 130, asked when he would receive payment for the easement? Administrator Brook stated that the Township Solicitor is processing the paperwork, which should be completed by the end of next week. The property owner then signs the paperwork, has it notarized and returns to the municipality, after which a check will be made out.

Mr. Stroud asked if the payment for the easement could be applied towards the assessment bill? Administrator Brook explained that due to accounting procedures the payment must be made to the property owner. The property owner can use the money towards the assessment payment.

Council President Hofflinger apologized for the delay in receiving the easement payments.

Bill Bott, 64 Riverbank Drive, asked when NJ Transit is going to remove the contaminated dirt? Mayor Muchowski stated that they would start removing the dirt within six days.

Mr. Bott discussed the odor from the Burlington County Landfill on Florence Columbus Road and the landfill across the river in Tullytown. He feels the odor is unacceptable and something must be done about it. Assistant Administrator Sahol explained that in Tullytown they are

Florence Township Council Regular Session: 12/03/03

removing a substantial amount of material where they overfilled and then will recap, the odor will continue until the job is complete. Council President Hofflinger agrees that the odor has been very bad and called himself three times this week. Council Member Garganio discussed the possibility of taking additional legal action and asked that the Township Solicitor look into the township's legal position. Waste Management representatives will be asked to attend the next meeting. Mayor Muchowski will attend the next Burlington County Freeholders meeting to address the concerns regarding the County's facility.

Fred Wainwright, 1091 Florence-Columbus Road, has been told that the odors occur over the weekend when the flair goes out. He does not understand why they do not relight it.

Bill Strimple, Route 130, asked if the water and sewer assessment could be billed at the same time as the taxes? Administrator Brook stated that quarterly bills could be done but interest would still have to be calculated in accordance with the same methodology that is being used, which is sanctioned by the State.

Steve Mognancki, 904 Walnut Street, discussed a hazardous condition caused by the tractor-trailers exiting the turnpike onto Route 130. Assistant Administrator Sahol has notified the NJ Department of Transportation and agrees that it is a bad configuration but at this time they have no provisions to change it. Council President Hofflinger suggested a yield sign for the exiting traffic.

Mr. Strimple suggested rubber dividers be installed to stop the vehicles from crossing over the lane.

Council Member Garganio asked that a stop sign be requested. Assistant Administrator Sahol will draft a letter requesting a stop sign.

Ms. Cranmer questioned Ordinance No. 2003-30. Administrator Brook explained that this Ordinance designates the Burlington County Health Department as an enforcement agency in the township along with the Construction Code Official.

Mr. Bott asked if landlords have to notify the township when there is a change in tenants? Council President Hofflinger stated that they do have to notify the township and have the residence inspected. Mr. Bott discussed a house in his development that has had three different tenants without being inspected. Council President Hofflinger suggested if he sees a tenant move out call the Housing Department to make sure it has been inspected.

Mr. Bott discussed another house in his development that is padlocked and asked that the township maintain it. Administrator Brook stated that the township is researching ownership and may move to foreclose on the property.

All residents having an opportunity to be heard, MOTION by Fratinardo; seconded by Hofflinger to close the public portion of the meeting. All ayes - motion carried.

RESOLUTIONS

Clerk Weiler stated that Resolutions No. 2003-205, 2003-207 and 2003-208 will be HELD this evening. Administrator Brook explained the problems with the Resolutions and hold until 12/17's meeting.

RESOLUTION NO. 2003-205

**APPROVE REQUEST TO RELEASE PERFORMANCE
BONDS FOR TIDEWATER FARMS, PHASES I, II, III & IV (BEAZER)**

**NOTE: Conditioned upon payment of any escrow money due,
posting a Maintenance Bond and posting check for plantings**

RESOLUTION NO. 2003-206

**AUTHORIZE PAYMENT FOR STORM SEWER REHABILITATION FOR
FLORENCE MEADOWS DEVELOPMENT LOCATED AT
BROAD STREET AND ACORN STREET
COMMAND COMPANY, INC.
135 HARTFORD ROAD, MEDFORD, NJ 080505**

RESOLUTION NO. 2003-207

**APPROVE REQUEST TO RELEASE PERFORMANCE
BOND FOR OAK COURT (WOOLSTON)**

**NOTE: Conditioned upon payment of any and all escrow money
due; posting a check for outstanding items to be complete in the
spring; and posting a Maintenance Bond.**

RESOLUTION NO. 2003-208

**DENY REQUEST TO RELEASE PERFORMANCE
BOND FOR THE PRESERVE AT BROOKSIDE ESTATES
(FORMERLY KNOWN AS HILL CREEK II)**

RESOLUTION NO. 2003-209

**RESOLUTION DIRECTING THE DISTRIBUTION OF THE FLORENCE
TOWNSHIP NET RETURNED SURPLUS FUNDS HELD IN TRUST BY THE
BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND**

RESOLUTION NO. 2003-210

AUTHORIZE REFUND FOR CONSTRUCTION PERMIT

RESOLUTION NO. 2003-211

**AWARD CONTRACT FOR NEW 2004 CASE 621 DXT
ARTICULATED WHEEL LOADER
TO TRICO EQUIPMENT, INC.
551 NORTH HARDING HIGHWAY, VINELAND, NJ 08360**

RESOLUTION NO. 2003-212

RESOLUTION OF THE TOWNSHIP OF FLORENCE, IN THE COUNTY OF BURLINGTON, NEW JERSEY RATIFYING AND CONFIRMING THE ISSUANCE AND SALE OF \$3,334,000 OF THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES 2003 AND \$1,878,000 OF THE TOWNSHIP'S WATER AND SEWER UTILITY BONDS, SERIES 2003 AND PROVIDING OTHER DETAILS WITH RESPECT TO SAID BONDS

RESOLUTION NO. 2003-213

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF FLORENCE, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51 ET SEQ.

It was on the MOTION of Fratinardo, seconded by Garganio that Resolutions 2003-206, 2003-209 through 2003-213 be adopted.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Fratinardo, Garganio, Hofflinger

NOES: None

ABSENT: Sandusky

Unanimous approval.

ORDINANCES

**ORDINANCE NO. 2003-30
(2nd Reading)**

AN ORDINANCE OF THE TOWNSHIP OF FLORENCE CHAPTER 87 OF THE FLORENCE TOWNSHIP CODE TO PROVIDE FOR THE DESIGNATION OF THE BURLINGTON COUNTY HEALTH DEPARTMENT AS AN ENFORCEMENT OFFICER IN ADDITION TO THE CONSTRUCTION CODE OFFICIAL OF THE TOWNSHIP OF FLORENCE

It was on the MOTION of Fratinardo, seconded by Garganio to approve Ordinance No. 2003-30 on second reading for adoption.

Public Comment

Council President Hofflinger opened the meeting to the public for comments at this time.

Nothing at this time.

Florence Township Council Regular Session: 12/03/03

It was on the MOTION of Fratinardo, seconded by Garganio to close the public hearing.
All ayes – motion carried.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Fratinardo, Garganio, Hofflinger

NOES: None

ABSENT: Sandusky

Unanimous approval.

**ORDINANCE NO. 2003-31
(1st Reading)**

REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF FLORENCE, COUNTY OF BURLINGTON, NEW JERSEY PROVIDING FOR THE REFUNDING OF THE TOWNSHIP'S SERIES 1994 GENERAL IMPROVEMENT AND WATER AND SEWER UTILITY BONDS DATED FEBRUARY 1, 1994, THE TOWNSHIP'S SERIES 1998 GENERAL IMPROVEMENT, WATER AND SEWER UTILITY AND WATER AND SEWER ASSESSMENT BONDS DATED APRIL 1, 1998, AND THE TOWNSHIP'S SERIES 1999 GENERAL IMPROVEMENT BONDS DATED JUNE 15 1999, APPROPRIATING NOT TO EXCEED THE AGGREGATE SUM OF \$7,370,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$7,370,000 REFUNDING BONDS OF THE TOWNSHIP OF FLORENCE FOR FINANCING THE COST THEREOF

It was on the MOTION of Garganio, seconded by Baldorossi to approve Ordinance No. 2003-31 and set adoption for December 17, 2003.

On the Question

Council President Hofflinger questioned Ordinance No. 2003-31. Administrator Brook explained that the municipality is applying to the State to obtain the right to refinance the bonds at a lower rate. With the current rate the municipality may save approximately \$250,000 over the life of the bonds.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Fratinardo, Garganio, Hofflinger

NOES: None

ABSENT: Sandusky

Unanimous approval.

REPORTS

Committees, Boards and Officers

- Nothing at this time.

Florence Township Council Regular Session: 12/03/03

Mayor Muchowski

- Mayor Muchowski questioned the status of the **Citizen of the Year** program. Assistant Administrator Sahol stated that the dinner will be held March 13, 2004. Council President Hofflinger requested that the dinner be advertised.
- Mayor Muchowski stated that the **high school football team** is now 11-0 and the will be in the State Championship Game this Sunday.
- Mayor Muchowski stated that the **Roebling Christmas Tree Lighting** will be held this Thursday night at 6:30 PM. The **Christmas Tree Lighting at the municipal building** will be held this Friday night at 7:00 PM.

Administrator

- Nothing at this time.

Assistant Administrator

- Assistant Administrator Sahol reported that **the Shade Tree Committee** will be installing trees this Saturday to **replace the trees damaged by the tornado**. Eight or nine trees will be planted on Eighth Avenue and the committee would like to remove the fence and place the trees further from the road edge. After a brief discussion, Council in agreement to move the trees back but leave the fence.

Township Engineer

- Dan Guzzi, Township Engineer, stated that **work** should begin on the new **Public Works site** by next week.
- Mr. Guzzi did some preliminary **survey** work at the **Bustleton Road Park**. He will have a plan for Mayor and Council next week, which will include the layout of the park and the overlay of the County aerial.

Council President Hofflinger introduced Council Member Elect, Elizabeth A. Ryan.

UNFINISHED BUSINESS

Council Member Garganio asked if the **landfill** in **Tullytown** acquired permits to mine their facility? Assistant Administrator Sahol stated that they did receive permits. Council Member Garganio asked if they are required to notify Florence Township of the permit to mine the facility? Mr. Guzzi believes that they only have to notify the NJDEP. Assistant Administrator Sahol will obtain a copy of the permit.

Council Member Garganio discussed the lateness of the trash pick up in the country area. He stated that Garden State Waste Removal is in violation of their contract. Administrator Brook will speak with them. He stated that in the next contract there could be a timeline and a penalty for various violations. He will speak to Solicitor Kearns regarding the language of the contract.

NEW BUSINESS

Nothing at this time.

BOARD OF HEALTH

Nothing at this time.

Florence Township Council Regular Session: 12/03/03

MISCELLANEOUS

Nothing at this time.

9:15 PM MOTION by Fratinardo, seconded by Baldorossi to adjourn to Closed Session. Roll call vote - all ayes.

ADJOURNMENT

9:15 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab